

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES

-v-

LEONIDES SIERRA et al.,

Defendants.

11 Cr. 1032 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

Pretrial conferences are scheduled in the above-captioned case for Thursday, March 15, 2012 and Friday, March 16, 2012, each at 10:00 a.m. In order to assure the efficient use of time at those conferences, the Court directs the following:

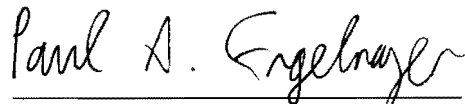
1. Counsel for the government should be prepared to report, *inter alia*, on the following subjects at the conference: (a) the status of the provision of discovery, including whether any discovery remains to be provided to defense counsel; (b) the outside date by which the government intends to seek a superseding indictment in this case, and any elaboration that the government can appropriately give at this point as to the likely nature and contours of a superseding indictment; and (c) the government's views as to the point in this litigation at which the government should be directed to identify the units of defendants whom it proposes to try together, in light of the Court's expressed preference for trials involving no more than approximately five defendants.

2. Counsel for defendants are directed to confer among themselves prior to the conference, and to arrange to have a common spokesperson at each conference who is prepared to address, *inter alia*,: (a) in general, the status of the review of discovery by defense counsel

and the defendants, and how much additional time the defense seeks for the review of discovery; (b) any common problems that have arisen with respect to the review of discovery, with a particular focus on problems that the Court can play a constructive role in resolving; and (c) the motions, or categories of motions, that the defense expects to make in this case, and the schedule the defense proposes for briefing of those motions. The Court also welcomes, but does not require, the defense to address the subjects above on which the Court has solicited the government's views. The Court recognizes that defense counsel may not be of one mind on each of the issues to be addressed, and will welcome comments from individual counsel on these issues, but believes it would be most efficient, in the first instance, to have a global report from a common spokesperson as to the view or views that the defense has on the issues identified in this Order.

3. To the extent there are defendant-specific applications (*e.g.*, with respect to bail) or issues (*e.g.*, with respect to particular discovery materials) to be raised, next week's all-defendants conference is not the opportune time to raise them. The Court requests instead that defense counsel first meet and confer with the government to attempt to resolve any such issue(s), and to then contact the Court's deputy, Ms. June Hummel, to arrange either for letter briefing or for a conference to be held with respect to that issue.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: March 7, 2012
New York, New York